

Notice of Allowability

Application No.

09/488,769

Examiner

Kenny Lin

Applicant(s)

SABATIER ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.


1. ☒ This communication is responsive to 8/30/2004.
2. ☒ The allowed claim(s) is/are 12-13, 15-16, 18-19 and 21 now renumbered as 1-7.
3. ☒ The drawings filed on 23 June 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some* c) ☐ None of the:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date hereto.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


JENNIFER HOLLANSBEE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

EXAMINER'S AMENDMENT

1. Claims 12-21 are presented for examination.
2. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
3. Authorization for this examiner's amendment was given in a telephone interview with Michael J. McGovern on January 14, 2005.
4. Amend the claims as follow:
Cancel Claims 14, 17 and 20.

Claim 12. (Currently Amended) Process for establishing computer network communication between a first device [(2)] and a second device [(3)] each not having permanent computer IP addresses on an Internet computer network (3) of the Internet type, wherein the first device [(1)] and the second device [(2)] are also operable on a telephone network [(4)], the process comprising:

the first device [(1)] calling the second device (2) ~~on~~ via the telephone network [(4)] to invite the second device (2) ~~into~~ to initiate the said computer network communication by giving it transmitting the second device an invitation message via the telephone network, the invitation

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message including [[the]]references (IP31, XX, YY) of an Internet message accessible on the computer network[[(3)]], wherein the references point to a specific location on the computer network;

the first device [[(1)]]connecting to the computer network[[(3),]] to receive a temporary computer IP address, (IP1) ~~and to incorporate it~~ incorporating said temporary computer IP address into the aforesaidInternet message, and storing said Internet message at said specific location on the computer network;

the second device [[(2)]]connecting itself to the computer network[[(3)]] using the references of the Internet message to access the aforesaidInternet message located at said specific location on the computer network, [[to]]obtaining the temporary computer IP address (IP1) of the ~~calling~~first device [[(1)]]and using the temporary computer IP address of the first device to establish said computer network communication with the callingfirst device[[(1).]]; and

wherein during the call via the telephone network, the first device and the second device exchange signals to verify their compatibility for communication across the computer network.

Claim 13. (Currently Amended) Process in accordance with claim 12, which the first device[[(1)]] calling the second device [[(2)]]via the telephone network[[(4)]], sends the second device [[(2)]]a secret code word, which the second device [[(2)]]subsequently retransmits via the computer network [[(3)]]to the first device[[(1)]] so that the first device [[(1)]]may agree to establish communication on the computer network[[(3)]].

Claim 14. (Canceled)

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Claim 15. (Currently Amended) Process in accordance with claim 12, in which the first device[[(1)]] calls the second device ~~(2)~~ on via the telephone network[[(4)]] prior to connecting to the computer network[[(3)]].

Claim 16. (Currently Amended) Process accordance with claim 15, in which the first device[[(1)]], calling the second device [[(2)]]via the telephone network[[(4)]], sends the second device [[(2)]]a secret code word, which the second device [[(2)]]subsequently retransmits via the computer network [[(3)]]to the first device so that the first device [[(1)]]may agree to establish communication on the computer network[[(3)]].

Claim 17. (Canceled)

Claim 18. (Currently Amended) Process in accordance with claim 12, in which the first device[[(1)]] connects to the computer network[[(3)]] receives [[a]]said temporary computer IP address ~~(IP1)~~ and incorporates [[it]]the temporary computer IP address into the Internet message accessible on the computer network[[(3)]], prior to calling the second device [[on]]via the telephone network[[(4)]].

Claim 19. (Currently Amended) Process in accordance with claim 18, which the first device[[(1)]], calling the second device [[(2)]]via the telephone network[[(4)]], sends the second device [[(2)]]a secret code word, which the second device subsequently retransmits via the computer

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network [[(3)]] to the first device so that the first device [[(1)]] may agree to establish communication on the computer network[[(3)]].

Claim 20. (Canceled)

Claim 21. (Currently Amended) Process in accordance with claim [[14]]12, in which the signals contain an identifier [[(N1)]] of the first device.

Allowable Subject Matter

5. Claims 12-13, 15-16, 18-19 and 21 are allowed.

6. The following is an examiner's statement of reasons for allowance: None of the prior art of the record teaches or fairly suggests all of the limitation of the claimed invention, especially the limitation of connecting the first and second device via a telephone communication to transmit invitation signal messages such as of PSTN message and exchange compatibility for communication across computer network, where the PSTN message enabling the second device to access an Internet message located on the computer network to obtain the temporary IP address of the first device and using the temporary IP address of the first device to establish direct computer network communication with the first device through the Internet communication. None of the prior art of record teaches to use *two different messages*, a telephone network message such as PSTN message and a computer network message such as Internet message to invite a second device to establish computer network communication.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Mattaway et al, US 6,226,678.

Ranalli et al, US 6,748,057.

Zhao et al, US 6,529,501.

Gray et al, US 6,219,710.


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (571) 272-3968. The examiner can normally be reached on 8 AM to 5 PM Tue.-Fri. and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksl
January 21, 2005


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EXAMINER